

Bill Summaries as of Feb. 28, 2005

Appropriations

SB 270 Status: Senate Ways & Means Committee

FY06 and FY07 appropriations bill:

- Agency position limitations
- Sets salaries for elected officials and legislative leaders
- Sets per diem rate for board members, council members, etc.
- Authorizes 2.5% increase for unclassified employees
- Provides financing and reimbursement for 27th payroll chargeable to FY06

SB 272 Status: Senate Ways & Means Committee

FY05 appropriations bill which includes position limitations for a small number of agencies.

SB 273 Status: Senate Ways & Means Committee

FY05, FY06 and FY07 appropriations bill which includes capital improvements.

HB 2480 Status: House Appropriations Committee

FY05 appropriations bill which includes position limitations for a small number of agencies.

HB 2481 Status: House Appropriations Committee

FY05, FY06 and FY07 appropriations bill which includes capital improvements.

HB 2482 Status: House Appropriations Committee

FY06 and FY07 appropriations bill:

- Agency position limitations
- Sets salaries for elected officials and legislative leaders
- Sets per diem rate for board members, council members, etc.
- Authorizes 2.5% increase for unclassified employees
- Provides financing and reimbursement for 27th payroll chargeable to FY06

Open Records Act

SB 24 (as amended by Senate Committee of the Whole) Status: Passed Senate Committee of the Whole amendments to this bill concerning the Open Records Act:

- Require agencies to include actual compensation employment contracts or employment related contracts or agreements when disclosing salaries (commonly called the 'Lew Perkins Act')
- Require agencies to disclose the identity of donors whose donation to a public agency is intended to benefit a named public officer or employee

SB 34 (as amended by Senate Committee of the Whole) Status: Passed Senate

Committee of the Whole amendments to this bill concerning the Open Records Act extend the life of the 240-plus exceptions scheduled to expire this July 1 to July 1, 2010. Also adds the definition of "clearly unwarranted invasion of personal privacy."

HB 2381 Status: House Corrections & Juvenile Justice Committee
Open Records Act. Similar to previously introduced bills SB 24, SB 78, HB 2076, and HB 2091.

HB 2425 Status: House Corrections & Juvenile Justice Committee
Open Records Act. Similar to previously introduced bills SB 24, SB 78, HB 2076, HB 2091, and HB 2381.

Workers Compensation

HB 2316 Status: House Commerce & Labor Committee
Employer liability in workers compensation where the employee's injury, disability, or death was contributed to by the employer's use of alcohol, drugs or any other compounds or substances.

HB 2317 Status: House Commerce & Labor Committee
Increases compensation percentage for disability under workers compensation from 75% to 100% of the average gross weekly wage of the injured employee.

HB 2318 Status: House Commerce & Labor Committee
Under workers compensation, the employer is to provide the services of a health care provider designated by the injured employee. If an injured employee is dissatisfied with the services of the initial designated health care provider, the injured employee may designate a different health care provider once without showing just cause. Any other changes must be for just cause and by order of the director following a preliminary hearing. Medical case managers are allowed to attend medical appointment with prior written approval of both the designated health care provider and the injured employee.

HB 2447
Changes workers compensation benefits such that disability rates are increased from 66 2/3% to 100% of the state average gross weekly wage. Raises the temporary total disability maximum compensation from \$100,000 to \$125,000. Raises the maximum compensation for permanent total disability from \$125,000 to \$250,000. Provides for annual adjustments to the maximum compensation benefits.

Misc

SB 74 (as amended by Senate Committee) Status: Senate Ways & Means
Allows state universities to convert any or all classified employee positions to unclassified positions. Converted employees would keep all health, leave, and retirement benefits, but would lose civil service protections. Any conversion proposal would require approval of the Board of Regents. The university must hold a vote of the affected classified employees and a majority of those employees voting must vote in favor of the proposal.

SB 216 Status: Passed Senate
Prohibits an employer from discharging an employee solely because the employee or an immediate family member is under an order of isolation or quarantine due to infectious or contagious disease.

SB 226 Status: Senate Ways & Means Committee

Establishes the Health Expenditure Account Program which allows an eligible person to establish a health expenditure account which is used exclusively to pay qualified health care expenditures. Eligible persons are those who received a federal earned income credit payment within last 12 months and are eligible for Kansas Medicaid benefits. The state shall provide a match amount equal to 10% of the person's federal earned income payment that is deposited in a health expenditure account.

HB 2352 Status: Passed House

Requires certain employees (such as law enforcement persons, medical care providers, mental health providers, juvenile intake workers, etc.) to report if they suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse. Willful and knowing failure to make a report is a class B misdemeanor. Prohibits employers from retaliating against employees who make a report or cooperate in an investigation (class B misdemeanor).

HB 2365 Status: House Insurance Committee

Establishes a moratorium on new mandated benefits or coverages for health insurance from July 1, 2005, until June 30, 2007.

HB 2366 (as amended by House Committee) Status: Passed House

The original bill allowed an insurer to offer one or more health care plans. Amendments clarify that an insurer may offer one or more group or individual accident and sickness insurance plans that contain substantial deductible, coinsurance, copayment, out-of-pocket and other cost sharing levels.

HB 2369 Status: House Judiciary

Prohibits a person sponsoring, arranging or conducting a conference, seminar or other meeting from disseminating electronic mail addresses received in the course of registration without the express authorization of the registrant.

HB 2370 Status: House Commerce & Labor Committee

Creates the Overtime Protection Act and requires that any employee who would have earned overtime pay prior to new Federal regulations which took effect August 23, 2004, but would not earn overtime pay under the new regulations shall continue to receive overtime pay. The minimum salary an employer must pay before an employee loses the right to overtime shall be the salary set forth in the federal provisions revised effective August 23, 2004.

HB 2428 Status: House Appropriations Committee

On and after June 30, 2005, the state shall pay a percentage of the state health care benefits program costs for participating retirants who retired prior to July 1, 2005. The percentage paid by the state increases each year beginning with 25% in FY 2006 and increasing by 10% each year until FY2011 (75%).

HB 2429 Status: House Appropriations Committee

Provides for and funds a 3% increase to the classified salary plan, and 3% unclassified increases to be distributed from a salary increase pool. Each Executive branch agency shall prepare and submit a budget estimate for the salary increases to the Director of the Budget and a copy to the Legislative Research Department. Also sets salary increases for elected officials.

HB 2473

Status: House Federal & State Affairs

Designates English as the official language of the state of Kansas for any official public document or record and any official public meeting. Except as otherwise provided by law, agencies shall not be required to provide documents, information, literature or other written material in any language other than English. Specifies when agencies may use a language other than English, including to:

- Provide oral information to individuals in delivering services to the general public
- Comply with federal law
- Protect public health or safety
- Protect the rights of parties and witnesses in court or administrative proceedings

Agencies shall delineate costs related to providing informational materials in another language as a separate budget line item. Person may not be denied employment with the state based solely on a lack of facility in a foreign language except if related to a bona fide job need. The state may not place restrictions on language usage in private businesses other than official documents, forms or other communications directed to government agencies and officers.

HB 2475

Status: House Appropriations Committee

Relates to compensation for accumulated sick leave upon separation from state service.

HB 2487

Status: House Appropriations Committee

Rescinds the Governor's authority to allow in-grade pay increases for Executive Branch classified employees at the discretion of the employee's appointing authority as set forth in Executive Directive 04-353. Prohibits any change or modification of the classified pay plan or any procedure for pay increases or adjustments that resembles in-grade pay increases unless specifically authorized by legislature.

HB 2495

Status: House Federal & State Affairs Committee

Enacts the Kansas public smoking ban act. On or after January 1, 2007:

- employers are to provide a smoke-free workplace for all employees
- all enclosed facilities owned by the state or any agency or subdivision of the state shall be non-smoking at all times
- no person or employer shall discharge, refuse to hire or in any manner retaliate against any employee, applicant, or customer because they exercise any right to a smoke free environment afforded by this act